



#31 Response
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PATENT
P-2821RI

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): James G. Nadeau et al.

SERIAL NO.: 09/082,247

GROUP:

1655

FILING DATE: May 20, 1998

EXAMINER: S. Houtteman

FOR: DETECTION OF NUCLEIC ACID AMPLIFICATION

RESPONSE PURSUANT TO
37 C.F.R. §1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231	
ON:	September 22, 1999 (DATE OF DEPOSIT)
BY:	Mary Lou Kittren (NAME)
(SIGNATURE)	Mary Lou Kittren 9-22-99 (DATE)

In response to the Office Action mailed on June 22, 1999 (Paper No. 2), Applicants submit the following remarks and ancillary documents. Reconsideration and allowance of the present claims is respectfully requested.

Remarks

Paper No. 2 presented issues regarding the following subjects: (1) offer to surrender patent; (2) reissue declaration; (3) establishment of patent ownership; (4) new matter rejection; (5) enablement rejection; and (6) anticipation rejection. Each of these subjects is addressed below.

I. Offer to Surrender Patent (37 C.F.R. §1.178)

As noted in Paper No. 2, the original patent has not been surrendered. This patent will be surrendered when allowance of the present reissue application is indicated.